

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

JAMES ERIC LOFTEN
TDCU-CID #616132

v.

U.S. GOVERNMENT, ET AL.

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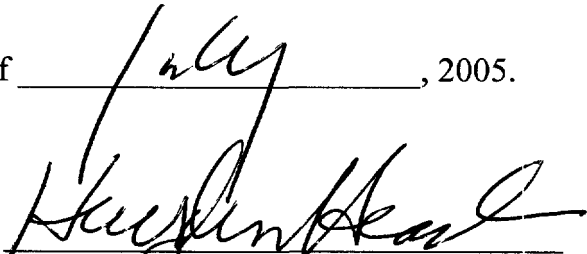
C.A. NO. C-05-191

**MEMORANDUM OPINION AND ORDER DENYING PLAINTIFF'S
APPLICATION TO PROCEED *IN FORMA PAUPERIS***

On June 16, 2005, the United States Magistrate Judge filed her Memorandum and Recommendation in this cause (D.E. 10). After ample opportunity, no objections have been filed by either party. This Court regards such omission as each party's agreement with and acceptance of the Magistrate Judge's findings of fact and conclusions of law. Having reviewed the pleadings on file, the Court finds no clear error in the Magistrate Judge's memorandum and recommendation. *Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). This Court adopts as its own the findings and conclusions of the Magistrate Judge.

Motion for Continuance by plaintiff denied.
Accordingly, plaintiff's Motion to Proceed I.F.P. (D.E. 7) is DENIED, and plaintiff is instructed to pay the \$250.00 civil filing fee within thirty (30) days.

ORDERED this 26 day of July, 2005.


HAYDEN HEAD
CHIEF JUDGE